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**APR 02 2004**

**OFFICE OF PETITIONS**

In re Application of  
Michael J. Tilley et al  
Application No. 10/726,801  
Filed: December 2, 2003  
Attorney Docket No. 309-002

ON PETITION

This is in response to the petition under 37 CFR 1.47(a), filed December 2, 2003.

The petition is dismissed.

Rule 47 applicant is given TWO MONTHS from the mailing date of this decision to reply, correcting the below-noted deficiencies. Any reply should be entitled "Request for Reconsideration of Petition Under 37 CFR 1.47(a)," and should only address the deficiencies noted below, except that the reply may include an oath or declaration executed by the non-signing inventor. **FAILURE TO RESPOND WILL RESULT IN ABANDONMENT OF THE APPLICATION.** Any extensions of time will be governed by 37 CFR 1.136(a).

A grantable petition under 37 CFR 1.47(a) requires: (1) proof that the non-signing inventor cannot be reached or refuses to sign the oath or declaration after having been presented with the application papers (specification, claims and drawings); (2) an acceptable oath or declaration in compliance with 35 U.S.C. §§ 115 and 116; (3) the petition fee; and (4) a statement of the last known address of the non-signing inventor. Applicant lacks items (3) and (4) set forth above.

As to item (3), the fee required for a petition under 37 CFR 1.47 is missing (37 CFR 1.17(i)) and a general authorization to charge a deposit account has not been filed.

As to item (4), a statement of the inventor's last known address is missing and is required.

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop PETITION  
Commissioner for Patents  
Post Office Box 1450  
Alexandria, VA 22313-1450

**By hand:** Crystal Plaza Two, Lobby  
2011 South Clark Place  
Room 1B03  
Arlington, VA 22202

**By fax:** (703) 872-9306  
Attn: Office of Petitions

Telephone inquiries related to this decision should be directed to Wan Laymon at (703) 306-5685.



Frances Hicks  
Lead Petitions Examiner  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy